

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

GSI TECHNOLOGY, INC., a Delaware
Corporation

Plaintiff,

v.

UNITED MEMORIES, INC., a Colorado
Corporation,

Defendant.

Case No.: C 13-1081 PSG

ORDER

Plaintiff GSI Technology, Inc. (“GSI”) has indicated that it wishes to seal portions of the June 27, 2013 hearing transcript under Section 5.2(b) of the Protective Order.¹ The court reporter has already sent the transcript to the parties, but has not filed the transcript on the public docket. Within seven days of this order, GSI shall send its proposed redactions to the court for review and approval. If GSI fails to narrowly tailor its request according to Civil Local Rule 79-5, the court may reject the request to seal in its entirety and order the transcript published in its unredacted form.

The court takes this opportunity to correct an ambiguity in the Protective Order, which allows the parties to designate testimony as confidential either at the hearing or in writing seven

¹ See Docket No. 50.

1 days after receipt of the transcript.² As currently structured, the Protective Order does not require
 2 the parties to notify the court at the hearing whether it intends any of the information to be sealed,
 3 nor does it set a deadline for the parties to make such a request. This creates the potential for
 4 undue burden or even abuse that needs to be corrected. Accordingly, going forward, the parties
 5 shall expressly indicate at any hearing if they wish to seal any of the information presented. They
 6 shall identify all protected testimony at the time of the hearing so that the court reporter may note
 7 those designations concurrently. Alternatively, they shall request that the transcript be kept
 8 confidential until redactions can be made, order transcripts immediately, and within seven days of
 9 receipt send proposed redactions to the court for approval.
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11 IT IS SO ORDERED.

12 Dated: July 15, 2013



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 14 PAUL S. GREWAL
 United States Magistrate Judge

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² See *id.*